

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-2(c)**

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In re:

CHRISTIAN G. MONNE

Debtor.

Case No. 23-10870 (JKS)

Chapter 13

Judge: Hon. John K. Sherwood

Hearing Date: June 22, 2023

Hearing Time: 8:30 a.m.

**LIMITED OBJECTION OF AGSCO CORPORATION TO CONFIRMATION OF DEBTOR'S  
MODIFIED PLAN (ECF NO. 37)**

Creditor, AGSCO Corporation ("**AGSCO**") by and through his undersigned attorneys, respectfully submits this objection to Christian G. Monne's (the "**Debtor**") proposed Chapter 13 Plan (the "**Plan**") and respectfully states as follows:

1. The Debtor filed a voluntary petition pursuant to Chapter 13 of the Bankruptcy Code on February 1, 2023.

2. AGSCO filed a proof of claim on February 10, 2023 in the amount of \$200,000.00 (the "**Proof of Claim**" or "**Claim**") regarding a certain settlement agreement (the "**Settlement Agreement**") which was entered on or about April 9, 2021 in connection with the United States District Court for the District of New Jersey case captioned AGSCO Corporation v. Christian Monne (Case No. 21-12530) (the "**District Court Case**").

3. The Debtor defaulted under the terms of the Settlement Agreement. As such, on or about June 14, 2022, AGSCO obtained a judgment against the Debtor for \$100,000, which was entered in the District Court Case and which has since been domesticated as a statewide lien in New Jersey on or about December 21, 2022 (DJ-166172-2022).

4. The Debtor filed a Chapter 13 Plan on February 22, 2023 (ECF No. 11).

5. AGSCO filed an objection to that plan on April 6, 2023 (ECF No. 24).

6. Thereafter, the Debtor filed this modified Plan on May 24, 2023 (ECF No. 37).

7. Pursuant to the modified Plan, the Debtor seeks to treat AGSCO's claim as a secured claim in the amount of \$100,000, but does not indicate what it intends to do with respect to the balance of the AGSCO's Claim. This information is vital given the fact that the filed bankruptcy schedules indicate that there may be sufficient equity in the Debtor's assets to pay at least a portion of the claims.

8. Accordingly, AGSCO respectfully submits that the modified Plan should not be confirmed at this time.

9. AGSCO reserves all rights to amend and/or supplement this objection as it deems appropriate.

**WHEREFORE**, AGSCO respectfully requests the entry of an Order which denies confirmation of the Plan, as currently postured, and for such other and further relief as the Court may deem just and proper.

S. MITNICK LAW, PC  
*Attorneys for Creditor,*  
*AGSCO, Inc.*

By: /s/ Marc D. Miceli

MARC D. MICELI

Dated: June 15, 2023